



St. Vincent Medical Center

EPA Region 5 Records Ctr.



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R E C E I V E D
OCT 12 1993

October 8, 1993

**SUPERFUND PROGRAM
MANAGEMENT BRANCH**

Marcia A. Adams
5HSM-5J
Responsible Party Section
U.S. Environmental Protection Agency
Region 5
77 West Jackson Blvd.
Chicago, IL 60604-3590

Re: Request for Information Pursuant to
104(e) of CIRCLA for the Stickney
Avenue Landfill and the Tyler Street
Dump Sites in Toledo, OH

Dear Ms. Adams:

Enclosed are the responses of St. Vincent Medical Center to the above request for information.

Sincerely,

H. Terrence Smith
General Counsel

HTS/bjg

Enclosures

cc: Mina R. Patriarca, Esq. (w/enclosures)

**RESPONSES OF ST. VINCENT MEDICAL CENTER TO
U.S. EPA'S REQUESTS FOR INFORMATION PURSUANT TO SECTION 104(e)
OF CERCLA FOR THE STICKNEY AVENUE LANDFILL SITE
AND TYLER STREET DUMP SITE IN TOLEDO, OHIO**

St. Vincent Medical Center (hereinafter "Respondent") hereby responds to the Requests for Information Pursuant to Section 104(e) of CERCLA for the Stickney Avenue Landfill and the Tyler Street Dump Sites in Toledo, Ohio (hereinafter referred to as "Information Requests").

PLEASE NOTE:

1. The timing of Respondent's Responses to the Information Requests is governed by an extension of time granted by Thomas Barounis, representative of U.S. EPA, to Respondent's attorney H. Terrence Smith during telephonic communications which took place on September 16, 1993 during which it was agreed that Respondent's Responses to the Information Requests would be made by October 15, 1993.

2. Commensurate with the time made available to it to respond to these Information Requests, Respondent has conducted a diligent record search and has engaged in a diligent interviewing process with present and former employees who may have knowledge of the operations, hazardous substance use, storage, treatment, releases, spills, disposal or handling practices of the Respondent during the relevant period. However, Respondent's investigation of these matters is ongoing and Respondent reserves the right to supplement, amend, expand or otherwise make changes to and to provide additional supporting documentation, affidavits and other materials to these Responses as may be appropriate.

3. Respondent hereby objects to all of the Information Requests to the extent that they (1) seek information which could not reasonably be obtained or assembled by Respondent during the time period permitted for Respondent's response to these Information Requests; (2) seek disclosure of information or documents which are privileged against disclosure under the attorney/client privilege or the attorney/work product privilege, on the grounds that, so construed, the Information Requests would be unduly burdensome and oppressive, and would seek irrelevant information and/or information otherwise not appropriate under the terms of CERCLA Section 104(e).

RESPONSES

1. Identify all persons consulted in the preparation of the answers to these Information Requests.

- a. Kathleen W. Kolodgy, Esq.
Legal Counsel - former
16 Sunset Blvd.
Pittsford, NY 14534
(716) 381-2587
- b. William A. Sutton
Vice President, Support Services
St. Vincent Medical Center
2213 Cherry Street
Toledo, Ohio 43608
(419) 321-3232
- c. Donald Helvey
Administrative Director, Hospital Support Services
- d. Mike Coyle
Director, Housekeeping
- e. Sr. Janet Gallup
Archives Director
- f. Mina Patriarca
Assistant Vice President
Quality Management/Risk Manager
- g. Samantha Platzke
Manager of Fiscal Services

(All addresses for persons consulted are the same unless otherwise noted).

h. Jan Weimer
Assistant General Manager
Waste Management, Inc.
6525 Whales Road
Northwood, Ohio 43619

2. Identify all documents consulted, examined, or referred to in the preparation of the answers to these Requests and provide copies of all such documents.

Respondent consulted the document entitled, Responses of St. Vincent Medical Center to U.S. EPA's Requests for Information Pursuant to Section 104 (e) of CERCLA and Section 3007 of RCRA, for the Dura Landfill Site in Toledo, Ohio. This document is already in the possession of the U.S EPA. Respondent also consulted confidential attorney work product documents prepared in connection with its investigation concerning the Dura Landfill site.

3. If you have reason to believe that there may be persons able to provide a more detailed or complete response to any Information Requests or who may be able to provide additional responsive documents, identify such persons.

Respondent is unable to identify any persons who may be able to provide a more detailed or complete response to any Information Request or who may be able to provide additional responsive documents with respect to the Site.

4. List the EPA Identification Numbers of the Respondent.

Generator of Infectious Waste
EPA Registration Number: 48-G00075

Issued 6/18/93

Expiration date: 6/17/96

Transporter of Infectious Waste
EPA Registration Number: 48-T-00152

Issued 6/18/93

Expiration Date: 6/17/96

5. Identify the acts or omissions of any person, other than your employees, contractors, or agents, that may have caused the release or threat of release of hazardous substances, pollutants, or contaminants and damages resulting therefrom.

Respondent understands that this question is directed to the Site. Respondent is unable to identify any person who would be responsive to Information Request No. 5 concerning the Site.

6. Identify all persons having knowledge or information about the generation, transportation, treatment, disposal or other handling of material at the Site.

Respondent is unable to identify any person who has such knowledge or information concerning the Site. Respondent has no reason to believe that its waste was taken to the Stickney Avenue Landfill or the Tyler Street Dump Site.

7. Identify all persons, including yourself, who may have arranged for disposal or treatment or arranged for transportation for disposal or treatment of waste materials, including hazardous substances, at the Site. In addition, identify the following:

- a) The persons with whom you or such other persons made such arrangements;
- b) Every date on which such arrangements took place;
- c) For each transaction, the nature or the waste material or hazardous substance, including the chemical content, characteristics, physical state (e.g., solid, liquid), and the process for which the substance was used or the process which generated the substance;
- d) The owner of the waste materials or hazardous substances so accepted or transported;
- e) The quantity of the waste materials or hazardous substances involved (weight or volume) in each transaction and the total quantity for all transactions;
- f) All tests, analyses, and analytical results concerning the waste materials;
- g) The person(s) who selected the Site as the place to which the waste materials or hazardous substances were to be transported;
- h) The amount paid in connection with each transaction, the method of payment, and the identity of the person from whom payment was received;
- i) Where the person identified in g., above, intended to have such hazardous substances or waste materials transported and all evidence of this intent;
- j) Whether the waste materials or hazardous substances involved in each transaction were transshipped through, or were stored or held at, any intermediate site prior to final treatment or disposal;

- k) What was actually done to the waste materials or hazardous substances once they were brought to the Site;
- l) The final disposition of each of the waste materials or hazardous substances involved in such transactions;
- m) The measures taken by you to determine the actual methods, means, and site of treatment or disposal of the waste material and hazardous substance involved in each transaction.
- n) The type and number of containers in which the waste materials or hazardous substances were contained when they were accepted for transport, and subsequently until they were deposited at the Site, and all markings on such containers;
- o) The price paid for (i) transport (ii) disposal or (iii) both of each waste material and hazardous substance.
- p) All documents containing information responsive to a - o above or in lieu of identification of all relevant documents, provide copies of all such documents.
- q) All persons with knowledge, information, or documents responsive to a - p above.

See answer to Information Request No. 6.

8. If your waste was not taken to the Stickney Avenue Landfill Site or the Tyler Street Dump Site during the period from 1951 to 1981, where were your wastes taken and how were they disposed?


During the period from 1951 to 1981, much of the wastes generated by Respondent were incinerated on-site. X-ray films were subject to silver recycling. Human body parts and similar pathological materials were buried in area cemetery facilities, consistent with applicable procedures required of Catholic health care institutions at the time. Respondent believes that it may have made waste disposal arrangements for incinerator ash and other non-combustible solid waste with a "Benton" waste disposal firm, Cousins Waste Control Corp., and/or Waste Management, Inc. The wastes transported by Waste Management are believed to have been taken to an "Evergreen" landfill.

During the time permitted us to respond to these Information Requests, Respondent has been unable to obtain any more specific information which is responsive to this Request. However, Respondent's investigation of these matters is ongoing and, if any additional Responsive Information or documents are obtained by Respondent, these Responses will be supplemented.

AFFIDAVIT

STATE OF OHIO :
COUNTY OF LUCAS : SS

H. Terrence Smith, Vice President, Legal Services, being first duly cautioned and sworn, deposes and states from his own knowledge and belief, that he is a responsible company official or representative of St. Vincent Medical Center, an Ohio non-profit corporation and that, commensurate with the time permitted St. Vincent Medical Center to respond to the foregoing Requests for Information Pursuant to Section 104(e) of CERCLA for the Stickney Avenue Landfill Site and Tyler Street Dump Site in Toledo, Ohio, a diligent record search has been completed and there has been a diligent interviewing process with present and former employees who may have knowledge of the operations, hazardous substance use, storage, treatment, releases, spills, disposal or handling practices of St. Vincent Medical Center during the relevant period and that the Responses of St. Vincent Medical Center to the said Information Requests as set forth above are true and accurate to the best of affiant's knowledge and belief.


H. Terrence Smith, Esq.
Vice President
Legal Services

Sworn to and subscribed in my presence this 8th day of October, 1993.

Elmireck J. Crooks
Notary Public

ELIZABETH J. CROOKS
Notary Public, State of Ohio
My Commission Expires 3-19-97

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DUMPSITE.EPA
10/8/93-ejc